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LEGISLATIVE HISTORY

Public Law 87-67
S. 146

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INDEX AND SUMMARY OF S. 146

Jan. 5, 1961	Sen. Proxmire and others introduced and Sen. Proxmire discussed S. 146 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced and remarks of Sen. Proxmire.
June 20, 1961	Senate committee reported S. 146 without amendment. S. Report No. 437. Print of bill and report.
June 21, 1961	Senate passed S. 146 without amendment.
June 22, 1961	S. 146 was referred to the House Agriculture Committee. Print of bill as referred.
June 26, 1961	House committee reported S. 146 without amendment. H. Report No. 577. Print of bill and report.
	House passed S. 146 without amendment.
June 30, 1961	Approved: Public Law 87-67.

DIGEST OF PUBLIC LAW 87-67

SPECIAL MILK PROGRAM. Extends from July 1, 1961, to June 30, 1962, the special milk program for children, and authorizes the expenditure of $105 million of CCC funds for this purpose.

Jan 5

33. TOBACCO. H. R. 1022, by Rep. Matthews, to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments; to Agriculture Committee.

34. APPROPRIATIONS. H. Con. Res. 18, by Rep. Poff, relative to the exercise by the President of the United States of veto powers over items in certain bills; to Rules Committee.

35. LANDS. H. R. 1785, by Rep. Inouye, to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to Interior and Insular Affairs Committee.

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36. FOOD ALLOTMENT; FARM PROGRAM. S. 23, by Sen. Aiken (for himself and others), to safeguard the health, efficiency, and morale of the American people; to provide for improved nutrition through a more effective distribution of food supplies through a food allotment program; to assist in maintaining fair prices and incomes to farmers by providing adequate outlets for agricultural products; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources; to Agriculture and Forestry Committee.

37. FARM LOANS. S. 34, by Sen. Young, N. Dak., to amend section 16(a) of title I of the Bankhead-Jones Farm Tenant Act, as amended, to permit loans insured thereunder to be insured for the full value of the farm, less any prior lien indebtedness; to Agriculture and Forestry Committee.

38. LANDS. S. 39, by Sen. Young, N. Dak., providing for the return to former owners of certain lands, including Indian tribal lands, acquired in connection with the Garrison Dam project of mineral interests in such lands.

39. SURPLUS PROPERTY. S. 53, by Sen. Goldwater, to amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the welfare of the Indian tribes by making available to them surplus personal property; to Government Operations Committee.

40. WATER POLLUTION. S. 120, by Sen. Kerr (for himself and others), to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control; to Public Works Committee. Remarks of Sen. Kerr. p. 171

41. PRICES. S. 144, by Sen. Bush (for himself and Sen. Bennett), to amend the Employment Act of 1946 to make the maintenance of a reasonably stable price level an explicit aim of Federal economic policy; to Banking and Currency Committee. Remarks of Sen. Bush. pp. 171-2

42. MILK. S. 146, by Sen. Proxmire (for himself and others), to extend and increase the special milk program for children; to Agriculture and Forestry Committee. Remarks of Sen. Proxmire. pp. 172-3

43. FORESTS. S. 147, by Sen. Dirksen, to authorize the Secretary of Agriculture to develop a recreation area in connection with the Ahawnee National Forest in Pope County, Ill.; to Agriculture and Forestry Committee.

44. DEPRESSED AREAS. S. 1, by Sen. Douglas, et al, S. 6, by Sen. Scott, and S. 9, by Sen. Dirksen, et al, to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically distressed areas; to Banking and Currency Committee. Remarks of authors pp. 134-47, 147-8, 151-5, 157-63, 202, 206

45. RECREATION. S. 4, by Sen. Yarborough, to provide for the establishment of the Padre Island National Seashore; to Interior and Insular Affairs Committee. Remarks of author pp. 150-1

S. 46, by Sens. Chavez and Anderson, to provide for the establishment and administration of basic public recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico; to Interior and Insular Affairs Committee.

S. 105, by Sen. Anderson, to provide for the construction of recreation facilities in the Elephant Butte Reservoir area, N. Mex., to Interior and Insular Affairs Committee.

S. 121, by Sen. Kerr, et al, to make the evaluation of recreational benefits resulting from the construction of any Federal water resources project an integral part of project planning; to Public Works Committee. Remarks p. 171

46. RECLAMATION. S. 13, by Sens. Engle and Kuchel, to provide for Federal assistance in the development of irrigation in connection with non-Federal municipal and industrial water projects; to Public Works Committee. Remarks of author pp. 165-6

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47. WHEAT. S. 33, by Sen. Young, N. Dak., to remove wheat for seeding purposes which has been treated with poisonous substances from the "unfit for human consumption" category for the purposes of section 22 of the Agricultural Adjustment Act of 1933; to Agriculture and Forestry Committee.

S. 35, by Sen. Young, N. Dak., relating to acreage allotments for Durum wheat; to Agriculture Committee.

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48. SALINE WATER. S. 22, by Sen. Case, S. Dak., S. 100, by Sen. Engle, and S. 109, by Sens. Anderson and Gruening, to expand and extend the saline water conversion program, etc.; to Interior and Insular Affairs Committee. Remarks of Sen. Engle pp. 168-70

49. LANDS. S. 111, by Sens Anderson et al, to authorize public land States to select certain public lands in exchange for land taken by the United States for military and other uses; to Interior and Insular Affairs Committee.

S. 112, by Sens. Kerr and Monroney, to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture; to Interior and Insular Affairs Committee.

S. 115, by Sen. Kerr, to stabilize the mining of lead and zinc by small domestic producers on public, Indian and other lands; to Interior and Insular Affairs Committee.

agencies. The report will reach the Congress this spring. The need for the Folsom South Canal to serve lands in Sacramento and San Joaquin Counties is urgent. Ultimately the Auburn Reservoir will be required to supply the water for the Folsom South Canal. Electric energy from the Auburn powerplant is needed as soon as possible in the Central Valley area.

The Auburn-Folsom South unit is a logical and feasible addition to the Central Valley project.

I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 103) to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws, introduced by Mr. ENGLE (for himself and Mr. KUCHEL), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the principal purpose of increasing the supply of water available for irrigation and other beneficial uses in the Central Valley of California, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate and maintain, as an addition to, and an integral part of, the Central Valley project, California, the Auburn-Folsom South unit, American River division, in general accordance with plans of the Department of the Interior prepared pursuant to the Act of October 14, 1949 (63 Stat. 852) and adopted by the Secretary of the Interior on December 8, 1960. The works authorized to be constructed shall consist of—

(1) the Auburn Dam and Reservoir, a major storage reservoir having a storage capacity of approximately one million acre-feet, to be constructed on the American River near the city of Auburn, California;

(2) a hydroelectric powerplant at Auburn Dam with a generating capacity of approximately one hundred and sixty thousand kilowatts and necessary electric transmission system for inter-connection with the Central Valley project power system;

(3) a reservoir or reservoirs with necessary diversion works, conduits, and other appurtenant works of adequate capacity for the delivery of water supplies to approximately 15,000 acres of the Forest Hill Divide area in Placer County;

(4) Folsom South Canal and related operating structures, including pumping plants, regulating reservoirs, floodways, channels, levees, and other appurtenant works for the diversion and conveyance of water of the American River from an appropriate point upstream of Nimbus Dam on said river to such point in San Joaquin County as the Secretary of the Interior determines will best serve the needs of Sacramento and San Joaquin Counties, and in the construction of such canal and related operating structures, the Secretary is authorized to provide, in such manner as he deems necessary and economically feasible, for the future construction of the east side division of the Central Valley project, now under study as a means of providing supplemental water on the east side of the Southern San Joaquin Valley;

(5) Folsom-Malby Canal with necessary pumping plants and a regulatory reservoir of approximately twenty-five thousand acre-feet, located near Malby Crossing on Carson Creek six miles south of Folsom, California, to serve approximately ten thousand acres of land below an elevation of five hundred feet lying in Sacramento and El Dorado Counties.

SEC. 2. Subject to the provisions of this Act, the operation of the Auburn-Folsom South unit, American River division, shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available. The Auburn Dam shall be operated for flood control in accordance with criteria established by the Secretary of the Army as provided for in section 7 of the Flood Control Act of 1944 (58 Stat. 887). Minimum basic facilities may be provided for the accommodation of the visiting public at Auburn Reservoir and its shoreland if responsible local interests agree to assume the operation and maintenance thereof. The costs of such facilities shall be nonreimbursable and nonreturnable.

SEC. 3. In locating and designating the works authorized for construction by the first section of this act, the Secretary of the Interior through the Commissioner of Reclamation shall give due consideration to the reports upon the California water plan prepared by the State of California, and shall consult the local interests to be affected by the construction and operation of said works through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

SEC. 4. Nothing contained in this act shall be construed by implication or otherwise as an allocation of water, and in the studies for the purposes of development plans for disposal of water as herein authorized the Secretary of the Interior shall make recommendations for the use of water in accord with State water laws, including but not limited to such laws giving priority to the counties and areas of origin for present and future needs.

SEC. 5. There are hereby authorized to be appropriated $181 million, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction costs as indicated by engineering cost indexes applicable to the type of construction authorized in this act, and, in addition thereto, such sums as may be required to operate and maintain the Auburn-Folsom south unit.

PROGRAM OF WATER POLLUTION CONTROL AND EVALUATION OF RECREATIONAL BENEFITS FROM CONSTRUCTION OF FEDERAL WATER RESOURCES PROJECTS

Mr. KERR. Mr. President, I introduce, for appropriate reference, two bills. The first bill provides for a more effective program for water pollution control. The second bill makes the evaluation of recreational benefits resulting from the construction of any water resources project an integral part of project planning. I ask unanimous consent that these two bills may lie on the desk until following the opening of next Monday's session in order that other Senators who care to do so may join as authors of them.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk, as requested by the Senator from Oklahoma.

The bills introduced by Mr. KERR are as follows:

By Mr. KERR (for himself, Mr. CHAVEZ, Mr. MOSS, Mr. CASE of South Dakota, Mr. MORSE, Mr. MONRONEY, and Mrs. NEUBERGER):

S. 120. A bill to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution; to the Committee on Public Works.

By Mr. KERR (for himself, Mr. CHAVEZ, Mr. CASE of South Dakota, Mr. MONRONEY, Mr. COOPER, and Mrs. NEUBERGER):

S. 121. A bill to make the evaluation of recreational benefits resulting from the construction of any Federal water resources project an integral part of project planning, and for other purposes; to the Committee on Public Works.

AMENDMENT OF THE EMPLOYMENT ACT OF 1946

Mr. BUSH. Mr. President, on behalf of myself and the distinguished senior Senator from Utah [Mr. BENNETT], I introduce, for appropriate reference, a bill to amend the Employment Act of 1946 to make the maintenance of a reasonably stable price level an explicit aim of Federal economic policy.

Mr. President, I also submit, for appropriate reference, a concurrent resolution proposing an amendment to the Joint Rules of the House and Senate to give the President item veto powers over appropriation bills and nonappropriation bills which contain authorizations to borrow money directly from the Treasury.

I am privileged to have the distinguished senior Senator from Virginia [Mr. BYRD] and the distinguished senior Senator from Delaware [Mr. WILLIAMS] as cosponsors of the concurrent resolution.

Mr. President, I ask unanimous consent that the bill and the resolution may lie on the desk until the close of business next Tuesday, January 10, so that other Senators may join in sponsorship of either or both if they so desire.

Mr. President, I ask unanimous consent that an announcement I have made concerning the bill and the concurrent resolution may be printed in the RECORD after these remarks, followed by the texts of the two measures.

The PRESIDENT pro tempore. The bill and the concurrent resolution will be received and appropriately referred; and, without objection, the bill, the concurrent resolution, and the announcement will be printed in the RECORD at this point.

The bill (S. 144) to amend the Employment Act of 1946 to make the maintenance of a reasonably stable price level an explicit aim of Federal economic policy, introduced by Mr. BUSH (for himself and Mr. BENNETT), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) section 2 of the Employment Act of 1946 is amended by deleting the final nine words and inserting in lieu thereof the following: "to promote maximum employment, production, and purchasing power, and to maintain a reasonably stable price level."

(b) Section 3(a) of such Act is amended by striking out "and (4)" and inserting in lieu thereof the following: "(4) current and foreseeable trends in price levels prevailing in the economy and the steps, if any, which have been taken to maintain a reasonably stable level of prices, and (5)."

(c) Section 4(a) of such Act is amended by deleting the final seven words of the second sentence and inserting in lieu thereof the following: "purchasing power, and to maintain a reasonably stable level of prices under free competitive enterprise."

(d) Section 4(c)(4) of such Act is amended by striking out "end purchasing power;" and inserting in lieu thereof the following: "Purchasing power, and a reasonably stable price level;".

The concurrent resolution (S. Con. Res. 2) giving the President of the United States the power to veto items in certain bills was received, referred to the Committee on Rules and Administration, and, under the rule, was ordered to be printed in the RECORD, as follows:

Resolved by the Senate (the House of Representatives concurring), That, effective on the first day of the second regular session of the Eighty-seventh Congress, the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 is amended by adding at the end thereof the following new subsection:

"(c) No bill or joint resolution making appropriations or authorizing the borrowing of money directly from the Treasury shall be reported to or considered in either House unless it contains a section which shall read as follows: ((1) in the case of any bill (or joint resolution) making an appropriation or (2) in the case of any bill (or joint resolution) authorizing the borrowing of money directly from the Treasury):

"(1) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any amount or any provision, whether or not related to an amount, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any amount or provision or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety.

"(2) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any authorization for borrowing money directly from the Treasury, which is contained herein, in the same manner as he may, under said section 7 disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any authorization or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety."

The announcement presented by Mr. BUSH is as follows:

WASHINGTON, January 5.—U. S. Senator PRESCOTT BUSH introduced today two measures which he said were intended to help the Kennedy Administration combat inflation and to exercise fiscal responsibility in the National Government.

They were:

1. A price stability amendment to the Employment Act of 1946.

2. A concurrent resolution to give the President item veto power over appropriations bills, and bills authorizing direct borrowings from the Treasury.

Senator BUSH was joined in sponsorship of the price stability amendment by Senator WALLACE F. BENNETT, Republican, Utah, and in sponsorship of the item veto bill by Senators HARRY F. BYRD, Democrat, Virginia, Chairman of the Senate Finance Committee, and JOHN J. WILLIAMS, Republican, Delaware, the ranking minority member of that committee.

"The new administration will take office at a time when the United States faces a unique and disturbing crisis," said Senator BUSH, a member of the Senate Banking Committee and ranking minority member of the Joint Economic Committee of the Congress.

"The continued drain upon our gold reserves, resulting from a deficit in our international payments, has weakened confidence in the dollar.

"It is essential that the administration and Congress give first priority to reversing this dangerous trend, and to restoring full confidence in the credit of the United States. Upon that credit depends not only our economic strength, but also our military power, which must remain unquestioned in these times of tension and danger.

"We must make clear to the world our intention to avoid inflationary practices and to adhere to sound fiscal policies.

The Employment Act is the basic congressional directive to Federal policymaking officials concerning national economic policy. The proposed amendment would add the maintenance of "a reasonably stable price level" to the act's present objectives of "maximum employment, production and purchasing power."

It would also require the President to include in his annual Economic Report to the Congress a statement of "current and foreseeable trends in price levels prevailing in the economy and the steps, if any, which have been taken to maintain a reasonably stable price level."

Both the price stability amendment and the bill to give the President item veto power were introduced in the previous Congress by Senator BUSH.

"It is unfortunate that the Congress did not see fit to act upon these recommendations when they were made by President Eisenhower," Senator BUSH said. "However, these are long overdue reforms which should not be the subject of partisanship. Now that a new administration is assuming office, I hope Congress will grant to the President-elect the added authority he will need to control inflation and keep our fiscal house in order."

PACIFIC INTERNATIONAL HOUSE

Mr. LONG of Hawaii. Mr. President, I introduce, for appropriate reference, a bill providing for an investigation by the Secretaries of State and Commerce of the feasibility of establishing in Honolulu a Pacific International House. This would be a center expressly designed to facilitate international trade. Its facilities would include exhibit space, offices and meeting rooms, multilingual secretarial and translation services, a foreign trade reference library and offices for operating a foreign trade zone.

This proposal builds upon the highly successful experience of New Orleans in operating a similar establishment. The New Orleans foreign trade zone, and International House and International Mart have greatly stimulated our trade with Latin America, the commerce flowing throughout the Missisippi basin.

Similar facilities in Hawaii, I am confident, would significantly increase our trade with the nations of Asia and the Pacific basin. In Hawaii merchants from East and West can meet to their mutual advantage in a setting conducive to good business relations.

Since trade and political connections are so intimately related, I also see in the proposed Pacific International House an instrument for strengthening our bonds with the non-Communist nations of the Pacific area. This aspect of the proposed facility has led me to seek the recommendations of the Secretary of State, as well as those of the Secretary of Commerce.

For several years leaders of the Hawaii community have advocated the use of Honolulu's central position for an international business facility. Former Delegate John Burns has proposed creating a foreign trade zone. Lorrin Thurston, editor of the Honolulu Advertiser, has repeatedly urged the establishment of an International House. This proposal, which also has the support of the Hawaii Chamber of Commerce, combines both ideas.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 145) to provide that the Secretaries of State and Commerce shall investigate and report to the Congress as to the feasibility of establishing a Pacific International House on Sand Island, Hawaii, introduced by Mr. LONG of Hawaii, was received, read twice by its title, and referred to the Committee on Foreign Relations.

SPECIAL MILK PROGRAM FOR CHILDREN

Mr. PROXMIRE. I am today introducing a bill to extend and increase the special milk program for children. I am joined in sponsorship of this measure by Senators AIKEN, CHURCH, HART, HUMPHREY, JAVITS, LONG of Missouri, MAGNUSON, MUNDT, SYMINGTON, TALMADGE, WILEY, YOUNG of North Dakota, MCCARTHY, PROUTY, KEATING, CARROLL, YOUNG of Ohio, KEFAUVER, YARBOROUGH, CARLSON, COOPER, and JACKSON.

This bill would extend the special milk program for children for 1 year beginning July 1, 1961, and would increase the funds available by $10 million, from $95 million to $105 million. It would continue and enlarge a deservedly popular program, and it is fitting that it be presented to the Senate with wide cosponsorship at the first possible opportunity.

It is a special privilege for me at this point to welcome as a cosponsor of this bill the senior Senator from Minnesota and newly chosen majority whip, Senator HUMPHREY, who has been the principal sponsor and spokesman for this program since it was started in 1954. He has been the leader in getting the special milk program for children underway, and in making sure that it developed and grew into the fine, broad program we have today.

Over the years this program has enabled millions of children throughout the country to drink milk each day, at school and in summer camps. Over half of the Nation's children benefit from it. The program is administered locally, with a minimum of redtape. It is of great nutritional value, bringing the benefits of fresh, whole milk to children at an age when they most need it to promote healthy growth.

The special milk program has established a proud record of growth and development. Each year more schools participate, more half pints of milk are distributed, and more children benefit. Each year the amount of funds available through the Commodity Credit Corporation has been increased.

Through this program we have encouraged ever larger numbers of children in more and more schools to drink more milk regularly. The number of schools and child care institutions participating is now over 85,000, and the number of half-pints of milk distributed under the program in the fiscal year 1960 was 2,395 million. The rising popularity of the program is evidenced by the fact that it has grown at the rate of 9 percent per year for each of the past 3 years.

Unfortunately, the program has had a history of running out of funds. Only a year ago schools around the country were informed that the rate of reimbursement paid for each half pint of milk would be cut by half a cent. Fortunately, quick congressional action prevented this reduction, and the growth of the program was able to continue without check.

The bill I am today introducing would extend the program for another year, and would increase the funds available from $95 million to $105 million. A recent Department of Agriculture survey of State school administrators has indicated that the popularity of the program is continuing to rise, and that it can be expected to continue to grow at an annual rate of 9 or 10 percent. The increase of $10 million provided in my bill would enable the program to continue to grow. It would make it possible for additional schools and more children to participate without danger that funds may be exhausted.

I am pleased to introduce this bill at this time and I ask consent that it may be allowed to lay on the table for 48 hours so that additional Senators may add their names as cosponsors, and that it be printed in the RECORD.

The PRESIDING OFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk for 48 hours, as requested by the Senator from Wisconsin.

The bill (S. 146) to extend and increase the special milk program for children, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

AMENDMENT OF REORGANIZATION ACT OF 1949

Mr. McCLELLAN. Mr. President, on behalf of myself, the junior Senator from Washington [Mr. JACKSON], the senior Senator from Minnesota [Mr. HUMPHREY], and the senior Senator from North Carolina [Mr. ERVIN], I send to the desk, for appropriate reference, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1963.

The objective of this proposed legislation is to reinstate the power of the President to submit reorganization plans to the Congress, which, unless disapproved by either the House or the Senate within 60 days after submission, become law.

The Reorganization Act of 1949 was approved by the Congress as a method of expediting reorganizations within the executive branch of the Government. The 1949 act, which was primarily directed toward effecting prompt action on the recommendations of the first Hoover Commission, gave much greater authority to the President than did the 1945 act which had terminated in accordance with its provisions. As approved by the Congress, the 1949 act gave the President much wider latitude in reorganizing the executive branch, permitting him to submit reorganization plans for the creation of new departments within the executive branch at the Cabinet level.

The act was extended after its original expiration date on April 1, 1953, for 2-year periods in 1953, 1955, and 1957. The latter extension was to June 1, 1959.

The President recommended, on January 19, 1959, that the act be extended "to permit further timely improvements in the structure of the executive branch." Pursuant to this recommendation, the Bureau of the Budget transmitted draft legislation to the Congress which proposed that the act be amended to grant the reorganization authority to the President on a permanent basis.

The Committee on Government Operations reported the bill submitted by the Bureau of the Budget, with an amendment extending the provisions of the act for 2 years after its expiration date, or to June 1, 1961. The House of Representatives approved a bill identical to the bill as reported by the Senate Committee on Government Operations, but both bills died on the calendar at the end of the 86th Congress and, unless a further extension is approved by the 87th Congress, the incoming President will be denied the authority to present plans designed to reorganize the Government as he may determine to be appropriate, which authority has been granted in various forms to all Presidents since 1932.

Under provisions of the act, as proposed to be amended by the bill now being filed, such reorganization plans as may be submitted to the Congress by the President before June 1, 1963, would become law unless disapproved by a majority of either the House or the Senate by the passage of a resolution of disapproval within 60 calendar days after submission to the Congress.

Since enactment of the basic statute in 1949, the Committee on Government Operations, as well as its predecessor, the Committee on Expenditures in the Executive Departments, has taken the position that the Congress should not surrender nor abrogate its legislative jurisdiction over matters of such significance on a permanent basis.

In its report to the Senate in the 86th Congress—Senate Report No. 239—the committee stated that it was "the consensus of the committee that the present Congress should not commit succeeding Congresses to the provisions of the Reorganization Act, but that each Congress should have the right to extend this authority to the President or to withdraw it as the necessity dictates at the time."

It is my understanding that both President Eisenhower and President-elect Kennedy will recommend extension of the Reorganization Act, and therefore, it is proposed that the Committee on Government Operations will give early, and I am confident, favorable action on the proposal I have submitted today so that this authority may be made available to the incoming President soon after his inauguration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 153) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1963, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

ADJUSTMENT OF LEGISLATIVE JURISDICTION OVER CERTAIN LANDS

Mr. McCLELLAN. Mr. President, on behalf of myself and the Senators from Utah [Mr. BENNETT and Mr. Moss], I send to the desk for appropriate reference a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes.

The purpose of this proposed legislation is to permit Federal agencies to restore to the States certain jurisdictional authority now vested in the United States, which may be better administered by State authorities, and to establish as congressional policy that the Federal Government will acquire only such jurisdiction as may be necessary in connection with future land procurement.

Under well established principles of law, once legislative jurisdiction has been vested in the United States, it cannot be revested in a State other than by operation of a limitation imposed by the State at the time the State ceded jurisdiction, or by an act of Congress.

The bill specifically declares it to be the policy of the Congress that, first, the Federal Government shall receive or retain only such measure of legislative jurisdiction over federally owned or operated land areas within the States as may be necessary for the proper performance of Federal functions; and, second, to the extent consistent with the purposes for which the land is held by the United States, the Federal Government shall avoid receiving or retaining concurrent jurisdiction or any measure of exclusive legislative jurisdiction. An overall objective of the bill is to provide that, in any case, the Federal Government shall not receive or retain any of the States legislative jurisdiction with respect to the qualifications for voting, education, public health and safety, taxation, marriage, divorce, descent and distribution of property, and a variety of other matters, which are ordinarily the subject of State control.

The proposed legislation would authorize the head or authorized officer of any department or independent establishment or agency of the Federal Government to relinquish to the State in which any Federal lands or interests therein under this custody or control are situated, such measure of legislative jurisdiction over such lands or interests therein as he may deem desirable. The bill provides that, with respect to future acquisitions of property, no more jurisdiction than is necessary for the proper performance of the functions of the acquiring agency should be obtained. Any relinquishment of the Federal Government will be subject to acceptance by the State in such manner as the law of such State might provide.

Other provisions of the bill would authorize Federal department and agency heads to issue necessary rules and regulations for the governing of public buildings and other areas under their charge and control, and to provide such reasonable penalties, within prescribed limits, as will insure their enforcement; permit such heads to utilize the facilities of existing law-enforcement agencies for the enforcement of any such regulations; authorize the General Services Administration to detail special policemen for the protection of Federal property under the charge of other departments and agencies; extend the authority of U.S. commissioners to try and sentence persons committing petty offenses in any place under the charge and control of the United States; extend the right of States and their political subdivisions to serve and execute process in areas under the legislative jurisdiction of the United States, while making it clear that such process may not be served contrary to rules and regulations issued by authorized Federal personnel for the purpose of preventing interference in carrying out Federal functions; and to amend or repeal obsolete or inconsistent Federal statutes.

This proposed legislation was originally drafted by the staff of the committee with the cooperation of the Department of Justice, in order to implement recommendations contained in a report by the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States, a committee appointed by the President for the purpose of finding means of solving the problems arising out of the uncertain jurisdictional status of Federal lands situated within the several States. The committee was composed of representatives of eight executive departments and agencies of the Federal Government, including the Bureau of the Budget, which had a principal interest in the problems involved. Twenty-five other agencies of the Federal Government furnished information concerning their properties and problems relating to legislative jurisdiction to the committee. In addition, the Interdepartmental Committee had the assistance and cooperation of the National Association of Attorneys General in its conduct of the study.

Following the introduction of the bill in its original form in the 84th Congress—S. 4196—the Committee on Government Operations forwarded copies to the Governors and attorneys general of the several States and to all interested Federal agencies for comments and recommendations. Reports were received from 36 States—31 State Governors and 29 State attorneys general—all of whom endorsed the objectives of the bill and recommended favorable committee consideration. Certain of the Governors and attorneys general of the States requested that the committee withhold action in the 84th Congress, however, until a study of the provisions of the bill could be completed by the State Committee on Legislative Jurisdiction of the Council of State Governments. That committee was appointed by the president of the council pursuant to a resolution adopted by the States for the purpose of considering this legislation. The committee appointed for this purpose was directed to give consideration to certain suggested amendments to the original bill, and to determine whether or not it would be feasible to extend its provisions beyond its original intent by incorporating certain suggestions made by various State officials.

Upon completion of the study made by the Committee on Legislative Jurisdiction, the staff of the Committee on Government Operations arranged conferences between the representatives of the Council of State Governments and of the Department of Justice for the purpose of perfecting the bill by incorporating appropriate amendments. Following a number of such conferences, during which consideration was given to the various recommendations of the Governors, attorneys general, and the Council of State Governments, an amendment in the nature of a substitute for the language incorporated in the original bill was drafted, with the unanimous approval of representatives of the States and the executive branch of the Federal Government. Consideration was given to all recommendations submitted to the committee by the Governors of the States, and by the National Association of Attorneys General, the National Association of Tax Administrators, and Federal agencies interested in the bill, which were consistent with the objectives of the proposed legislation.

Some of the suggestions submitted to the Committee on Government Operations by certain of the State officials and by the National Association of Tax Administrators dealt with tax matters which were considered to be outside of the scope of the recommendations of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States. Such suggestions were largely concerned with tax problems, such as payments by the Federal Government in lieu of taxes, and so forth, which the committee felt would be considered in separate legislation dealing exclusively with those problems. Specific proposals pertaining to those problems were incorporated in other legislation approved by the committee, and which passed the Senate in the 86th Congress.

The bill I am introducing today is not concerned with tax matters, except to the extent that a transfer of legislative jurisdiction may involve transfer of a power to tax—other than the Government or its property—and also to the extent that there are preserved certain Federal consents to State and local taxation, as embodied in such statutes as the Buck Act and the Lea Act.

In the 86th Congress the committee approved a bill, S. 1617, incorporating the amendments which were considered to be desirable, and in accord with the recommendations of the groups which had cooperated in drafting the bills in the 84th and 85th Congresses, including clarification of the provisions of the bill as they related to civil rights, conservation, Alaska, and Indian lands. Pursuant to a directive from the committee, the staff had contacted officials of the Department of Justice and representatives of the Council of State Governments who assisted in the preparation of the proposed legislation in order to verify that all of them were fully in accord with its provisions.

On May 11, 1959, the committee received a memorandum from Assistant Attorney General Perry W. Morton, clarifying the points raised to the satisfaction of the committee, and on June 18, 1959, the committee ordered S. 1617 reported. Details concerning these and other matters including background and agency comments will be found in Senate Report No. 405 of the 86th Congress.

The measure was debated further on May 27, 1960, and, after the adoption of one clarifying amendment offered by Senator JAVITS, which related to the service of civil and criminal process in Federal areas subject to Federal rules and regulations, the bill was passed without opposition. On May 31, 1960, S. 1617 was referred to the House Committee on Government Operations which took no further action.

87TH CONGRESS
1ST SESSION

S. 146

IN THE SENATE OF THE UNITED STATES

JANUARY 5 (legislative day, JANUARY 4), 1961

Mr. PROXMIRE (for himself, Mr. AIKEN, Mr. CHURCH, Mr. HART, Mr. HUMPHREY, Mr. JAVITS, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MUNDT, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCCARTHY, Mr. PROUTY, Mr. KEATING, Mr. CARROLL, Mr. YOUNG of Ohio, Mr. KEFAUVER, Mr. YARBOROUGH, Mr. COOPER, Mr. CARLSON, Mr. JACKSON, Mr. RANDOLPH, Mrs. NEUBERGER, Mr. PELL, and Mr. MORSE) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To extend and increase the special milk program for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

I

87TH CONGRESS
1ST SESSION

S. 146

A BILL

To extend and increase the special milk program for children.

By Mr. PROXMIRE, Mr. AIKEN, Mr. CHURCH, Mr. HART, Mr. HUMPHREY, Mr. JAVITS, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MUNDT, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCCARTHY, Mr. PROUTY, Mr. KEATING, Mr. CARROLL, Mr. YOUNG of Ohio, Mr. KEFAUVER, Mr. YARBOROUGH, Mr. COOPER, Mr. CARLSON, Mr. JACKSON, Mr. RANDOLPH, Mrs. NEUBERGER, Mr. PELL, and Mr. MORSE

JANUARY 5 (legislative day, JANUARY 4), 1961

Read twice and referred to the Committee on Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued June 21, 1961
For actions of June 20, 1961
87th-1st, No. 103

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HIGHLIGHTS: Senate passed agricultural appropriation bill. Senate committee reported bills to: Increase and expand special milk program; permit harvesting of hay on conservation reserve acreage. House Rules Committee cleared housing bill. Rep. Berry criticized farm bill. Senate committee voted to report 30-year retirement bill.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1962. Passed with amendments this bill, H. R. 7444 (pp. 9990-2, 10028-40). Conferees were appointed (p. 10040).

Agreed to the committee amendments en bloc, and the bill as amended was considered as original text for purposes of amendment. pp. 9990-1

Agreed to an amendment by Sen. Russell to increase the item for marketing research, AMS, by $75,000 for market facilities planning at Boston, Mass. p. 10038

By a vote of 26 to 64, rejected an amendment by Sen. Douglas, for himself and Sen. Williams, Del., to reduce the advance authorization for the 1962 Agricultural Conservation Program from $250 million to $150 million. pp. 10029-38

2. SPECIAL MILK PROGRAM. The Agriculture and Forestry Committee reported without amendment S. 146, to provide for use of not to exceed $105,000,000 of CCC funds for the special milk program in the fiscal year 1962 (S. Rept. 437). p. 9966

Sen. Humphrey commended the special milk program and inserted statistics received from this Department on the program relating to the number of outlets participating in July and Aug. 1960 and the amount of milk consumed during these months. He also urged the Secretary "to use the farmer cooperatives and their facilities to the maximum extent practicable consistent with the accomplishment of the objectives of the programs and policies that are outlined in the so-called agricultural programs." pp. 10051-2

3. SOIL BANK; HAY. The Agriculture and Forestry Committee reported without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (S. Rept. 436). p. 9966

4. SURPLUS GRAIN; WILDLIFE. The Agriculture and Forestry Committee reported with amendment S. 614, to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife (S. Rept. 435), p. 9966

5. PUBLIC LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 6422, to authorize an exchange of public lands (including Forest Service land) at the Cedar Breaks National Monument, Utah (S. Rept. 434). p. 9966

6. FOURTH SUPPLEMENTAL APPROPRIATION BILL, 1961 The Appropriations Committee reported without amendment this bill, H. R. 7712 (S. Rept. 427). p. 9966

7. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 188, to permit Federal employees to retire on full annuity after 30 years service. The "Daily Digest" states that the bill was amended "to establish minimum age at 55." p. D481

The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 1458, to authorize the Federal Government to pay the costs of the transportation of the remains, families, and effects of Federal employees who die in service in Alaska or Hawaii. p. D481

8. FARM PROGRAM. Sen. Humphrey submitted an amendment intended to be proposed to S. 1643, the farm bill. pp. 9971-2

Sen. Pell inserted a magazine article, "Camouflage of Confusion," discussing various aspects of the farm program, particularly the size of CCC loans to wheat farmers. pp. 9988-90

9. FOREIGN AID. Sen. Javits inserted an article, "Red Bloc Spurs Aid to Neutrals -- Granted Billion in Economic Field Alone Last Year -- Trade Drive Pressed." pp. 9978-9

Sen. Muskie inserted an address by Secretary of State Rusk before the Eighth National Conference on International Economic and Social Development discussing the importance of continuing the foreign aid program. pp. 9981-3

10. FOREIGN TRADE. Sen. Ellender, and others, protested the shipment of Cuban molasses to the U. S. and urged that it be stopped. pp. 10015-6

11. YOUTH CONSERVATION. Sen. Humphrey inserted a statement by the Secretary of the Interior favoring the establishment of a Youth Conservation Corps, and a description of needed work on conservation projects and estimates of numbers of enrollees. pp. 10018-21

Calendar No. 411

87TH CONGRESS
1st Session

SENATE

REPORT
No. 437

EXTENSION OF SPECIAL MILK PROGRAM

JUNE 20, 1961.—Ordered to be printed

Mr. PROXMIRE, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 146]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 146), to extend and increase the special milk program for children, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill extends the special milk program for children 1 year until June 30, 1962; and authorizes the expenditure of $105 million of Commodity Credit Corporation funds to carry out the program for that year. No report has been received from the Department of Agriculture on this bill, since its provisions are included in S. 1643, the administration farm bill, and it, therefore, clearly has the Department's approval.

In his message of March 16, the President recommended extension and improvement of the program as follows:

> To improve further our system of distribution I recommend—
>
> * * * * *
>
> 2. Extension and improvement of the special school milk program. Existing authorization for this program expires June 30. No lapse should be permitted.

Since the present authority expires June 30, passage of the bill is urgent if a lapse is to be prevented.

The program has been in effect since 1954. Under the program the Department reimburses schools participating in the school lunch program at the rate of 4 cents per half pint in excess of the half pint provided in the lunch; reimburses other schools at the rate of 3 cents per half pint; and reimburses other child care institutions 2 cents per half pint. In the fiscal year just ending it is estimated that about

85,500 schools and other institutions are participating in the program, and reimbursements will total $85,200,000 covering 2.5 billion half pints.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Act of July 1, 1958

AN ACT To continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the fiscal year beginning July 1, 1959, not to exceed $85,000,000, and for the fiscal year beginning July 1, 1960, not to exceed $95,000,000, *and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,* of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children (1) in nonprofit schools of high-school grade and under; and (2) in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. There is authorized to be appropriated for the purposes of this Act for the fiscal year beginning July 1, 1960, separate from any other appropriation of funds for Commodity Credit Corporation, such amount as may be deemed to be necessary to reimburse Commodity Credit Corporation for amounts advanced by it under this Act. Amounts expended hereunder and under the authority contained in the last sentence of section 201(c) of the Agricultural Act of 1949, as amended, shall not be considered as amounts expended for the purpose of carrying out the price-support program.

C

Calendar No. 411

87TH CONGRESS
1ST SESSION

S. 146

[Report No. 437]

IN THE SENATE OF THE UNITED STATES

JANUARY 5 (legislative day, JANUARY 4), 1961

Mr. PROXMIRE (for himself, Mr. AIKEN, Mr. CHURCH, Mr. HART, Mr. HUMPHREY, Mr. JAVITS, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MUNDT, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCCARTHY, Mr. PROUTY, Mr. KEATING, Mr. CARROLL, Mr. YOUNG of Ohio, Mr. KEFAUVER, Mr. YARBOROUGH, Mr. COOPER, Mr. CARLSON, Mr. JACKSON, Mr. RANDOLPH, Mrs. NEUBERGER, Mr. PELL, and Mr. MORSE) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1961

Reported by Mr. PROXMIRE, without amendment

A BILL

To extend and increase the special milk program for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

Calendar No. 411

87TH CONGRESS
1ST SESSION

S. 146

[Report No. 437]

A BILL

To extend and increase the special milk program for children.

By Mr. PROXMIRE, Mr. AIKEN, Mr. CHURCH, Mr. HART, Mr. HUMPHREY, Mr. JAVITS, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MUNDT, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCCARTHY, Mr. PROUTY, Mr. KEATING, Mr. CARROLL, Mr. YOUNG of Ohio, Mr. KEFAUVER, Mr. YARBOROUGH, Mr. COOPER, Mr. CARLSON, Mr. JACKSON, Mr. RANDOLPH, Mrs. NEUBERGER, Mr. PELL, and Mr. MORSE

JANUARY 5 (legislative day, JANUARY 4), 1961
Read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1961
Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued June 22, 1961
For actions of June 21, 1961
87th-1st, No. 104

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HIGHLIGHTS: Senate passed bills to: Extend and increase special milk program; permit harvesting of hay on conservation reserve acreage. House debated housing bill. Rep. Fountain and others introduced and Rep. Fountain discussed bills to provide periodic Congressional review of Federal grants-in-aid programs.

SENATE

1. SPECIAL MILK PROGRAM. Passed without amendment S. 146, to authorize the expenditure of not to exceed $105 million of CCC funds for the special milk program in the fiscal year 1962. p. 10220

2. HAY; SOIL BANK. Passed without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions in drought or other disaster areas. pp. 10210-11

3. YOUTH CONSERVATION CORPS. Sen. Humphrey inserted and commended the statement of Secretary Freeman before the S. Labor and Public Welfare Committee in support of legislation to provide for the establishment of a Youth Conservation Corps. Sen. Clark urged support for enactment of this proposed legislation. pp. 10201-4

4. RECLAMATION. Sen. Burdick inserted and commended a press release announcing the President's support for the Garrison diversion irrigation development in the Upper Missouri River Basin which will bring new land into agricultural production. p. 10233

5. DEPRESSED AREAS. Sen. Humphrey inserted the report of the Research and Policy Committee of the Committee for Economic Development, "Distressed Areas in a Growing Economy," which he stated was "an excellent and comprehensive report, analyzing problems of distressed areas and recommending various solutions to these problems." pp. 10197-9

Sen. Miller inserted an editorial, "United States Should Study Iowa Adjustment Plan," which stated that Iowa has solved the problem of unemployment "by educating and exporting her children." pp. 10234-5

6. RESEARCH. Sen. Hruska commended the work of the Fort Robinson Beef Cattle Research Station in Nebr., and inserted a statement by James E. Ingalls, Superintendent of the Station, discussing the importance of its research. pp. 10207-8

7. SUGAR. Received a Fla. Legislature resolution favoring additional sugar quotas for domestic growers. p. 10169

8. ATOMIC ENERGY. The Joint Committee on Atomic Energy reported without amendment S. 2043, to authorize appropriations for the Atomic Energy Commission (S. Rept. 441). p. 10171

9. FEDERAL EXPENDITURES. Sen. Bush expressed concern over Federal expenditures and inserted an editorial, "On Spending Too Much." pp. 10176-7

10. INTERNATIONAL TRAVEL. Agreed to the conference report on S. 610, to provide for the establishment of a U. S. Travel Service in the Department of Commerce. This bill will now be sent to the President. The bill authorizes the Secretary of Commerce to utilize the facilities and services of existing agencies of the Federal Government to the fullest extent possible including the maximum utilization of counterpart funds. pp. 10195-7

11. MARKETING; MONOPOLIES. Sen. Humphrey inserted an address by U. S. Assistant Attorney General Lee Loevinger, "What Government Expects of Business in Marketing." pp. 10199-201

12. TAXATION. Began debate on H. R. 7446, to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates. pp. 10221-3

13. FOREIGN AID. Sen. Schoeppel discussed the foreign aid program and urged "a thorough reexamination of the program in order to remove from the back of the American taxpayer this staggering burden which treatens our economy," and inserted several items on the matter. pp. 10224-33

14. LEGISLATIVE PROGRAM. Sen. Mansfield announced that after the tax-extension bill the Senate would consider noncontroversial bills on the calendar and the water pollution control bill. p. 10224

HOUSE

15. MIGRANT LABOR. The Select Subcommittee on Labor of the Education and Labor Committee voted to report to the full committee with amendments H. R. 5289, to provide for the registration of contractors of migrant agricultural workers. p. D489

Secondly and very importantly, it seems to me, also, is that we would fortify the powers of the staff. That is the whole direction of the reorganization plan, because it would deny the right to a review by the Commission as a right and put it only on the basis of a review which is granted by one less than a majority of the Commission. If we permit the right to delegate rulemaking power we strengthen the hands of the staff. The whole idea the Commission had, in desiring to delegate authority in noncontroversial matters, of which it has cataloged quite a few, is to make the staff do more and the Commission do less.

Theoretically at least—and this is certainly not anything to be ashamed of—this is an effort to make it possible for the Commission to concentrate upon policy and high level determinations.

Mr. President, one can be completely sympathetic with that point of view, provided there is retained in the Commission the ultimate authority to correct situations and provided the Commission has the basic authority and exercises the basic authority to lay out the course of action of the whole Commission, as well as the various authorities of its employees. This the Commission would give up if it were given the power and the authority to delegate the rulemaking power.

It seems to me this is the essence of why, in this situation, we should turn down the plan.

Further, Mr. President, let us understand, as we developed a minute ago in the colloquy, that the Securities and Exchange Commission is uniquely an agency which regulates private business. Private business, and especially the securities business, is a sensitive area, and it is possible to inflict great injustice even without intending to do so and even without any fundamental decision or determination from which an appeal might be taken to the Commission.

So, as we would fortify the staff and give the staff more responsibility, I feel that we must retain the residual authority in the Commission itself, and that residual authority is the total of the rulemaking power.

One of the former Commissioners made a very interesting point in respect to the work of the Commission as bearing upon the subject which we are now discussing. I believe he probably struck the proper note upon which to conclude. Ralph H. Demmler, former Chairman of the Securities and Exchange Commission over the years 1953 to 1955, was asked by Dean Landis what he thought about the idea of the reorganization of the SEC. His letter, which is addressed to James M. Landis, is found on page 33 of the hearing before the Subcommittee of the Committee on Banking and Currency. What he had to say was very interesting. He said:

> Under existing practices, the members of the Commission have too many matters to pass upon personally.

Mr. Demmler then proceeded to develop that point. He said that the Commission must meet every day, on most days for an aggregate of 5 hours, and he said that many things passed on by the Commission could just as well be disposed of by the staff. He gave some examples. He concluded:

> When a conscientious Commissioner is multiplied by five, the time consumed by the superstaff function gets out of hand.

These were difficulties. These were impediments slowing up the work of the commission. Mr. Demmler concluded in his last sentence as follows:

> I think, however, that a study of the subject, followed if necessary by a few statutory amendments (possibly provision for rulemaking power with respect to delegation of authority) could work wonders.

In short, even Mr. Demmler, a former Chairman of the Commission, recognized the fundamental power vested in the hands of the Commission, the use of which power could help it with its work, provided the Commission retained the ultimate rulemaking authority.

I point out also that among those who opposed the reorganization plan before the committee were the president of the New York Stock Exchange, the president of the Boston Stock Exchange, and the president of the American Stock Exchange, Edward T. McCormick, himself a former commissioner of the SEC.

There are some things that should be done about the SEC, especially the right to delegate some of the functions which Mr. Demmler called superstaff functions. Professor Cary, the new Chairman of the Commission, described the functions of the Commission in that manner also. But such changes should not go to the extent of giving the Commission the power to delegate the core of its authority, which is its rulemaking power.

In that respect, and quite apart from grave doubts as to the machinery for appeals and other provisions of the plan, I believe the plan is fatally defective, and I hope very much, therefore, that the Senate may see fit to reject it.

I point out that whatever we may do about the plan, the administration can submit another plan more properly tailored to meet the situation, as indicated by the views which I believe have been specifically expressed. Also we ourselves can initiate legislation. Such action has been taken many times. We can tailor-make the type of reorganization authority which is needed for the SEC. The proposed reorganization plan is altogether too sweeping. The Commission would receive altogether too much power to delegate authority, far more than is good for the Commission, the security business, or the country.

I hope very much that the Senate will see fit to give the administration, now that it has had this attritional process of finding out what ought to be done, an opportunity to submit another plan immediately.

Mr. THURMOND. Mr. President, will the Senator for Arkansas yield to me?

Mr. McCLELLAN. I yield 10 minutes to the Senator from South Carolina.

Mr. THURMOND. I rise in opposition to the Reorganization Plan No. 1 of 1961, which provides for reorganization of the Securities and Exchange Commission.

There are various reasons why I feel that the plan should be defeated. However, I think the three reasons mentioned by the Committee on Government Operations in its report to the Senate are alone sufficient. These reasons are as follows:

First, the plan would authorize the delegation by the Commission of many of its functions to subordinates. In my judgment, that would be a very dangerous authorization and goes entirely too far.

Second, the plan would provide for only a discretionary right of review, which, if denied, would result in the action of the subordinate being final. I believe that reason speaks for itself and needs no further elaboration.

Third, the plan would vest in the Chairman of the Commission authority to choose the individuals who would exercise the delegated power. I believe that authority is too much power for the Chairman, and I am not too sure that a Chairman of the Commission would even want that much power. But if he did, the Congress should not allow him to have that much power. It seems to me Congress can consider the desire for necessary reorganization in its deliberations, and properly arrive at such changes as may be desirable or essential without adopting a plan of the kind proposed, which, in my judgment, would go entirely too far and would delegate entirely too much power.

I am opposed to the plan, and hope that the Senate will see fit to defeat it.

I thank my distinguished friend from Arkansas. I yield back the remainder of my time.

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, Reorganization Plan No. 1 of 1961, providing for the reorganization of the Securities and Exchange Commission, has been considered by the Government Operations Committee under the distinguished chairmanship of the Senator from Arkansas [Mr. McCLELLAN] and also by the Banking and Currency Committee.

The proposal was sent to Congress by the administration for the purpose of streamlining and making more effective the administration of the SEC.

I hope that, while there was no clear-cut approval expressed by the committees which considered the matter, particularly the Government Operations Committee, nevertheless the fact that it was reported by a vote of 4 to 2 will be taken into consideration and that the objectives and the provisions of Plan No. 1 will be considered when the time comes for voting on the proposal.

I hope, therefore, that after the membership of the Senate has had an opportunity to understand the effect of plan No. 1 on the operation of the Securities and Exchange Commission, and after they have had an opportunity to understand how it would streamline and make more effective the Securities and Exchange Commission they will see fit to give the administration's proposal their approval or, if they have any doubts, to give the benefit of those doubts to the administration, so that the matter may be resolved and the reorganization plan approved.

Mr. McCLELLAN. I have no further request for time on this side. Does the Senator from Illinois have any request for time on his side?

Mr. DIRKSEN. No. I am prepared to yield back the remainder of my time.

Mr. McCLELLAN. I yield back the balance of my time.

The PRESIDING OFFICER. All time has been yielded back. The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. The language of the resolution is that the Senate does not favor Reorganization Plan No. 1 of 1961. Therefore, a "yea" vote would be a vote to reject the plan. Is that correct?

The PRESIDING OFFICER. The Senator from Illinois is correct. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. GRUENING], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Utah [Mr. Moss], the Senator from Mississippi [Mr. STENNIS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Alaska [Mr. GRUENING] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

If present and voting, the Senator from New Jersey [Mr. CASE] would vote "yea."

The result was announced—yeas 52, nays 38, as follows:

[No. 83]

YEAS—52

Aiken	Cooper	Hruska
Allott	Cotton	Javits
Bartlett	Curtis	Jordan
Beall	Dirksen	Keating
Bennett	Dodd	Kuchel
Boggs	Dworshak	Lausche
Bridges	Ellender	Long, Mo.
Bush	Ervin	Long, La.
Butler	Fong	McClellan
Byrd, Va.	Goldwater	Miller
Capehart	Hickenlooper	Morton
Carlson	Hickey	Mundt
Case, S. Dak.	Holland	Muskie
Prouty	Smathers	Williams, N.J.
Robertson	Smith, Maine	Williams, Del.
Saltonstall	Symington	Young, N. Dak.
Schoeppel	Thurmond	
Scott	Tower	

NAYS—38

Bible	Hartke	McNamara
Burdick	Hayden	Metcalf
Byrd, W. Va.	Hill	Monroney
Cannon	Humphrey	Pastore
Carroll	Jackson	Pell
Church	Johnston	Proxmire
Clark	Kefauver	Randolph
Douglas	Kerr	Russell
Eastland	Long, Hawaii	Smith, Mass.
Engle	Magnuson	Sparkman
Fulbright	Mansfield	Talmadge
Gore	McCarthy	Young, Ohio
Hart	McGee	

NOT VOTING—10

Anderson	Morse	Wiley
Case, N.J.	Moss	Yarborough
Chavez	Neuberger	
Gruening	Stennis	

So the resolution (S. Res. 148) was agreed to, as follows:

Resolved, That the Senate does not favor the Reorganization Plan Numbered 1 of 1961 transmitted to Congress by the President on April 27, 1961.

EXTENSION OF SPECIAL MILK PROGRAM

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 411, Senate bill 146, to extend and increase the special milk program for children.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that an explanation of the bill be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

This bill extends the special milk program for children 1 year until June 30, 1962; and authorizes the expenditure of $105 million of Commodity Credit Corporation funds to carry out the program for that year. No report has been received from the Department of Agriculture on this bill, since its provisions are included in S. 1643, the administration farm bill, and it, therefore, clearly has the Department's approval.

In his message of March 16, the President recommended extension and improvement of the program as follows:

"To improve further our system of distribution I recommend—

"* * * * *

"2. Extension and improvement of the special school milk program. Existing authorization for this program expires June 30. No lapse should be permitted."

Since the present authority expires June 30, passage of the bill is urgent if a lapse is to be prevented.

The program has been in effect since 1954. Under the program the Department reimburses schools participating in the school lunch program at the rate of 4 cents per half pint in excess of the half pint provided in the lunch; reimburses other schools at the rate of 3 cents per half pint; and reimburses other child care institutions 2 cents per half pint. In the fiscal year just ending it is estimated that about 85,500 schools and other institutions are participating in the program, and reimbursements will total $85,200,000 covering 2.5 billion half pints.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 146) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

DR. TUNG HUI LIN

Mr. DIRKSEN. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 1343.

The PRESIDING OFFICER (Mr. METCALF in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1343) for the relief of Dr. Tung Hui Lin, which were, in line 6, strike out "November 27, 1952," and insert "November 25, 1959,", and in line 7, strike out "head tax" and insert "visa fee".

Mr. DIRKSEN. Mr. President, the only change the House amendments make in the bill is in regard to the date when the status of the immigrant will become effective.

I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EXTENSION OF EXISTING CORPORATE NORMAL AND EXCISE TAX RATES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of House bill 7446, to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates.

The motion was agreed to; and the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for the remainder of the day and the program for tomorrow.

Mr. MANSFIELD. Mr. President, there will be some debate after the senior Senator from Virginia [Mr. BYRD] makes the opening statement on House bill 7446, which has to do with extension of the existing corporate normal tax rate and of certain excise tax rates. It is not anticipated that a vote will be taken on that measure tonight; but on tomorrow the Senate will resume the consideration of that bill at the conclusion of the morning business, and at that time the Senator from Kansas will have an opportunity to submit his remarks.

Mr. CARLSON. Mr. President, do I correctly understand that no final vote

87TH CONGRESS
1ST SESSION

S. 146

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1961

Referred to the Committee on Agriculture

AN ACT

To extend and increase the special milk program for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

Passed the Senate June 21, 1961.

Attest: FELTON M. JOHNSTON,

Secretary.

I

87TH CONGRESS
1ST SESSION

S. 146

AN ACT

To extend and increase the special milk program for children.

JUNE 22, 1961

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For information only should not be quoted or cited)

Issued June 27, 1961
For actions of June 26, 1961
87th-1st, No. 106

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HIGHLIGHTS: House passed bills to extend and increase special milk program and to permit harvesting of hay on conservation reserve acreage. House committee reported bill to continue use of surplus commodities to assist underdeveloped areas (Title II of Public Law 480). Senate committee reported (on June 23) general Government matters - Commerce appropriation bill. Sens. Hruska and Williams, Del., criticized sale of surplus corn to Publicker Industries. Sen. Humphrey urged modification of Mexican farm labor program.

HOUSE

1. SPECIAL MILK PROGRAM. Passed without amendment S. 146, to authorize use of $105,000,000 in CCC funds for the special milk program during the fiscal year 1962, which had been reported without amendment earlier in the day (H. Rept. 577). This bill will now be sent to the President. pp. 10412, 10444, ~~10447~~

2. CONSERVATION RESERVE. Passed without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, which had been reported without amendment earlier in the day (H. Rept. 578). This bill will now be sent to the President. pp. 10412, 10447

3. ROADS. Both Houses agreed to the conference report on H. R. 6713, to make various amendments in the Federal-aid highway program. This bill will now be sent to the President. pp. 10365-6, 10509-11

4. PUBLIC DEBT. By a vote of 231 to 148, passed without amendment H. R. 7677, to increase the public debt limit by $13 billion for a temporary period ending June 30, 1962. pp. 10384-410

5. SURPLUS COMMODITIES. The Foreign Affairs Committee reported without amendment S. 1720 to make permanent the authority of the President for famine relief under title II of the Agricultural Trade Development and Assistance Act of 1954 (H. Rept. 579). p. 10447

6. TARIFFS. The Ways and Means Committee reported without amendment H. R. 7678, to provide for the free importation of wild animals and wild birds which are intended for exhibition in the U. S. (H. Rept. 580). p. 10447

7. APPROPRIATIONS. The Appropriations Committee reported on June 23 (when the House was not in session) H. R. 7851, the Defense appropriation bill (H. Rept. 574). p. 10447

8. WATERSHEDS. The Subcommittee on Conservation and Credit of the Agriculture Committee voted to report to the full committee H. R. 3462, to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder. p. D504

9. ROADS. The Subcommittee on National Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendments H. R. 6067, to make a survey of a proposed national parkway from the Blue Ridge Parkway at Tennessee Ball or Beech Gap Southwest and running into Georgia. p. D505

10. BUILDINGS. Several members debated the Dallas (Tex.) Federal building project in which the USDA has requested approximately 19,310 square feet of space. Rep. Alger charged that the project "was killed in the Committee on Public Works by a straight party line vote." pp. 10417-37

11. YEARBOOK. Rep. Goodell praised the 1961 Yearbook of Agriculture, saying "It is fascinating to me, a nonexpert, and appears to make an authoritative contribution to the future of our American agriculture." pp. 10416-7

SENATE

12. GENERAL GOVERNMENT MATTERS - COMMERCE APPROPRIATION BILL, 1962. The Appropriations Committee reported (on June 23, during adjournment of the Senate) with amendments this bill, H. R. 7577 (S. Rept. 442). p. 10449

13. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee voted to report (on June 23) to the full committee with amendments S. 1070, to provide additional group life insurance for Federal employees. p. D502

14. VETERANS LOANS. Passed with an amendment H. R. 5723, to extend the veterans' guaranteed and direct home loan program and to provide additional funds for the veterans direct loan program. pp. 10531-2

15. SURPLUS CORN. Sens. Hruska and Williams, Del., criticized the contract for the sale by this Department of surplus corn to the Publicker Chemical Corp. Sen. Hruska questioned the authority of the Department to sell the corn to the company and stated that he intended to pursue the matter further. Sen. Williams stated that he had asked the Secretary for "a complete record of all the shipments involved in this sale of 14 million bushels of corn, showing the

cise of their political power, named the candidate who now holds the Presidential Office.

One of the inherent defects in the Wagner law, contributing to the unfortunate results, was the fact that, in large part, its terms were dictated by the then general counsel of the CIO, Lee Pressman, who, according to his sworn admission, at the time was a member of a Communist cell in Washington, D.C.

Pressman's overall thinking, as indicated by his activities, seemed to be that employers were a necessary evil, their profits should be limited, management of their operations shared by the representatives of organized labor.

The Labor Board never was, and probably never was intended to be, a judicial body. It was not bound, either in making investigations or reaching decisions, by the rules or practices of the courts.

It received hearsay evidence. Its decisions were based in the beginning upon conclusions reached by trial examiners, by the Board.

At one time, the Board made findings and conclusions based upon the findings of the examiner. During another period, the Board's findings of fact, and its orders granting relief were sustained, if based upon a preponderance of the testimony taken by the examiner and the Board. Later, the law stated that the findings of the Board with respect to questions of fact—

If supported by substantial evidence on the record considered as a whole shall be conclusive.

At one time, the U.S. Supreme Court sharply rebuked the Circuit Court of Appeals because of its failure to enforce the Board's order when it substituted its judgment on disputed facts for the Board's judgment. It said:

"Whether the Court would reach the same conclusion as the Board from the conflicting evidence is immaterial and the Court's (U.S.C.A.) disagreement with the Board could not warrant the disregard of the statutory division of authority set up by Congress." [1]

The activities of the Board were carried on by partisans, selected by an administration, one of whose objectives seemed to be the coralling of the vote of organized labor.

Experience seems to have demonstated that the Democratic political organization, due to its more efficient and ruthless practices, was more successful than was the Republican outfit. President Eisenhower could not—evidently had no desire to—be as effective as was President Truman, an expert political manipulator.

An early member of the Board, one of the Smiths, was a Communist. Nathan Witt was likewise a Communist and a member of the same cell to which Lee Pressman belonged. Witt, from January of 1937 to June of 1940 is listed in the Congressional Directory either as Assistant General Counsel of the Board or as Secretary of the Board.

Many of its employees were not only incompetent, with no experience and little knowledge of American law or traditions, but many sincerely believed that employers were oppressors of those for whom they provided jobs.

Reference has been made to the political power of the unions, which has swung so far to the left that we now have the reverse of the yellow dog contract, under which union membership was a ban to a job. Today, the reverse is true and lack of membership in a union to an equal degree bars an applicant from the opportunity of earning a livelihood.

The abuse of the power granted labor organizations, the racketeering and extortion, as well as unpunished open defiance of State and Federal law by unions and their agents, as well as utter disregard of the public health and welfare, became so great that public indignation and anger forced Congress, in a somewhat make-believe gesture, to pass the Taft-Hartley Act in 1947 and, later, the Landrum-Griffin Act in 1959.

Unfortunately, neither act, although both were vehemently denounced as union-busting legislation, effectively struck at the root of the evil, which, simply stated, was the oppressive abuse and misuse of special privileges granted labor.

The obvious remedy is to suspend or take from unions those special privileges granted them when they fail to comply with organic law, unjustly endanger the public welfare and, when war threatens, our national defense.

That unions have misused and today are misusing the power granted them to such an extent that the public health and welfare is adversely affected, efforts toward an effective national defense impeded, is obvious from the perusal of any authentic record detailing strike activities in the past, or by the reading of today's press or listening to current radio news programs.

Two current examples are sufficient for the record. Last week, in Washington, D.C., approximately 250 hoisting engineers, desiring a wage increase from the $3.97 to a flat $5 hourly rate, went on strike and tied up four major Federal construction jobs, threw out of work in Washington several thousand other employees.

At the same time, Congress has granted and is contemplating further grants of unemployment compensation and public assistance for the needy.

The maritime strike in New York to a large extent has tied up interstate commerce throughout the Nation, caused a food shortage so severe in the new State of Hawaii that its Governor has called upon the President for relief.

Not only has interstate commerce been drastically interfered with, but international complications are imminent.

Because of the arbitrary misuse of the power granted, its effect upon industry, because of conduct adversely affecting the public, the racketeering and extortion practiced by a few professional criminals using the cloak of union membership as a screen, and because of organized labor's demands which adversely affect international shipping, it is obvious that a real remedy must be found, and that without delay.

That such a remedy cannot and will not be available if power to write labor legislation and select the officals who enforce it is left or given through a reorganization plan to the present administration is obvious.

It is matter of common knowledge that the administration now in power owes its success to support of organized labor.

It is but natural for that administration to repay its supporters by favoring legislation which will not curtail any of the special privileges granted organized labor. That it will select by appointment, as interpreters and enforcers of that legislation, individuals whose political philosophy is in accord with the thinking of labor leaders, whose determination to obtain labor's objectives by fair means or foul is obvious.

Plan No. 5 provides:

AUTHORITY TO DELEGATE

(a) In addition to its existing authority, the National Labor Relations Board, hereinafter referred to as the Board, shall have the authority to delegate, by published order or rule, any of its functions to a division of the Board, an individual Board member, a hearing examiner, or an employee or employee board, including functions with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter: *Provided, however*, That nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act (60 Stat. 241), as amended.

The real remedy lies with Congress, not with an administration under obligation to organized labor. An adequate remedy, notwithstanding past failures, will be found when the people at home make clear to senatorial and congressional candidates that the home folk not only are aware of the situation but that they intend to refuse election to those candidates who lack the inclination or courage to do whatever may be necessary to see to it that legislation shall have the purpose and be adequately enforced to protect the welfare of all, rather than that of any special group which loudly asserts that its support must be paid for by the granting of special immunity as well as unearned benefits.

Repeated misuse of power, inexcusable disregard of the public health, safety, and welfare should be met by suspension or repeal of the legislation which makes such action possible.

Statements just made are of record and record will be cited when the plan comes before the House for discussion. House Resolution 328, which would reject plan No. 5, should be supported.

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[1] *National Labor Relations Board* v. *Waterman Steamship Corp.* (309 U.S., 206, 226).

TRANSPORTATION ON CANADIAN VESSELS BETWEEN PORTS IN SOUTHEASTERN ALASKA, ETC.

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 707) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska,

either directly or via a foreign port, or for any part of the transportation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation until the Secretary of Commerce determines that United States-flag service is available to provide such transportation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. RIVERS of Alaska (at the request of Mr. BONNER) was given permission to extend his remarks at this point in the RECORD.)

Mr. RIVERS of Alaska. Mr. Speaker, I rise in support of S. 707, which would authorize Canadian vessels to deliver cargo to Hyder, Alaska, and allow the carriage of passengers between towns in southeastern Alaska. The waiver involved would be effective only until such time as some U.S.-flag carrier offers such service. Presently, it would be most uneconomical for the principal shipping line, the Alaska Steamship Co., to serve Hyder, as it is a long way from the main route, but in an area served by Canadian ships. Accordingly the Alaska Steamship Co. is in favor of this arrangement, which has prevailed now for about 6 years. This bill is to extend the waiver now in existence, but which expires on the 30th of this month. It is likewise agreeable to all concerned to allow the waiver for the carriage of passengers by Canadian vessels between ports in Alaska as neither the Alaska Steamship Co. nor any other waterborne U.S.-flag carrier renders passenger service in southeastern Alaska. I urge passage of this legislation.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members who desire to do so may have permission to extend their remarks in the RECORD just prior to the vote on the debt ceiling bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENDING AND INCREASING THE SPECIAL MILK PROGRAM FOR CHILDREN

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 146) to extend and increase the special milk program for children.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOIL BANK ACT AMENDMENT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2113) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, I understand this is a Senate bill and was unanimously reported out of the House Committee on Agriculture.

Mr. COOLEY. That is correct.

Mr. HOEVEN. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 107(a)(3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

(b) The amendment made by this section shall expire one year from the date of enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

[Mr. BERRY addressed the House. His remarks will appear hereafter in the Appendix.]

SPECIAL MILK PROGRAM FOR CHILDREN

(Mr. JOHNSON of Wisconsin (at the request of Mr. COOLEY), was given permission to extend his remarks at this point in the RECORD.)

Mr. JOHNSON of Wisconsin. Mr. Speaker, I want to urge the passage of S. 146, a bill that was cosponsored in the Senate by Wisconsin Senators WILLIAM PROXMIRE and ALEXANDER WILEY, Minnesota Senators HUBERT HUMPHREY and EUGENE MCCARTHY, and 23 of their colleagues. The measure provides for a 1-year extension of the special milk program for children, which would carry this program through June 30, 1962. The bill also authorizes the expenditure of up to $105 million in Commodity Credit Corporation funds for the program during that fiscal year.

On February 16, I introduced similar legislation in the House to extend and expand this worthwhile program so that it can keep pace with increased school participation and growing school enrollment. As chairman of the House Dairy and Poultry Subcommittee, I conducted hearings on this bill and similar measures on April 11 and 12. The testimony was overwhelmingly in favor of extending and expanding the milk-for-schoolchildren program, which has more than proven its value during the 7 years it has been in operation.

In testimony before the subcommittee, U.S. Department of Agriculture officials estimated that some 2.5 billion half pints of milk would be consumed in about 85,500 schools and child-care institutions by the close of the 1960–61 school year. This volume represents more than 2 percent of all the fluid milk consumed by our nonfarm population and is over and above the 2.3 billion half pints of milk to be consumed under the national school lunch program.

Mr. Speaker, while this is a remarkably good record, there is still room for additional progress. About 3 out of every 4 children now have milk available to them during school hours as a result of the special milk and school lunch programs. It is my feeling, and the feeling of the Department of Agriculture, that we must concern ourselves with getting milk to the rest of our school population as well as seeing to it that schools already participating in the program are able to continue to do so.

President Kennedy has made himself very clear on this subject. In his farm message to Congress on March 16, the President stated:

To improve further our system of distribution, I recommend extension and improvement of the special school milk program.

Existing authority for this program expires June 30. No lapse should be permitted.

Title IV of the administration's farm bill, H.R. 6400, includes a provision for extending the special milk program for 1 year with a $105 million authorization. H.R. 6400 also provides that beginning July 1, 1962, the program would be put on a permanent basis with funds to be appropriated as needed to encourage the consumption of milk by children in nonprofit elementary and high schools, nonprofit nursery schools, child-care centers, settlement houses, summer camps and similar nonprofit institutions devoted to the care and training of children.

As you know, the House Agriculture Committee has conducted extensive hearings on H.R. 6400 and is now holding executive sessions on the measure. However, it will not be possible to have the bill reported out and enacted into law before the current authorization for the special milk program expires on June 30. Therefore, it is essential we pass S. 146 so that there will not be any lapse in the program.

Mr. Speaker, although most schools are now out of session, we have the summer camps and child-care institutions to consider. During July of last year, children in 4,280 summer camps and child-care centers drank 29,962,000 half pints of milk under the special milk program. I am sure you agree that the youngsters attending summer camps and child-care institutions this year should have the same opportunity to receive milk through this program.

The day after the Senate Committee on Agriculture and Forestry favorably reported out S. 146, the Senate passed the measure, a fact which emphasizes the need for fast action. I strongly urge my colleagues in the House to pass this bill and speed it on its way to the White House.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the members of the Committee on the District of Columbia be permitted to extend their remarks immediately following the passage of the District bills today.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

RESOLVED THAT ROBERT FROST BE NAMED AS "NATIONAL POET OF THE UNITED STATES"

(Mr. LANE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. LANE. Mr. Speaker, I propose adoption of a House resolution naming Robert Frost as "National Poet of the United States." Although many people do not realize it, the whole world is involved in a struggle that will determine whether human values—or material values—will shape the future of mankind. Military power, economic aid and scientific progress are essential for the protection and expansion of freedom. But they are not enough.

Man does not live by bread alone. The underprivileged people of this world are seeking human dignity and fulfillment. And for this, the arts are the universal language that expresses the aspirations and the truths that unify the race of man.

At a symposium conducted by Yale University last October, Archibald MacLeish, poet and playwright said:

To a right reader, if I may borrow Robert Frost's wonderful phrase, a poem is a living action and therefore a living relationship; a relationship the terms of which are man and the world, man and man's experience of the world. Rightly perceived, the end of poetry is to make truth come true—to give it the form which will endow it with the meaning which will make it true not only for our analyzing, abstracting minds but for ourselves as men. For only when poetry itself—which means all the powers of all the arts—regains its place in the consciousness of mankind will the triumphant civilization the sciences have prepared for us become a civilization in which man can live alive.

Robert Frost is 86 years old, but his spirit is as bright and hopeful and untarnished, as when he was a youth. The dean of American poets was born in San Francisco, Calif. His father, who admired the Confederate General Robert E. Lee, named his son for that noble warrior.

After her husband's death, Mrs. Frost brought her children back east and enrolled them in the public schools of Lawrence, Mass. It is recorded that Robert disliked study, and refused to read any book by himself until he was 12.

Then came the turning point in his life. At Lawrence High School, however, he developed an enthusiasm for learning, and was graduated in 1892 as valedictorian and class poet. After a brief stay at Dartmouth College, Robert Frost returned to Lawrence. For the next few years he worked in the textile mills, tried newspaper reporting, and helped his mother in the management of a small private school. It was during this period that his first poem was accepted for publication by the New York Independent.

He married his high school sweetheart, and enrolled as a special student at Harvard, but restless in the search to find his true expression, he left after 2 years of formal study. In 1900 he moved to Derry, N.H., not far from Lawrence, where he struggled to support his family as a poultry farmer, with ill success, until 1909. From 1906 until 1911, he taught English at Pinkerton Academy in Derry, N.H., and for the academic year 1911–12, was teacher of psychology at the State Normal School, Plymouth, N.H.

The courageous individualism fostered by the small town of Derry, N.H., is evident in the lives of our leading poet, Robert Frost, and our first astronaut, Alan B. Shepard, Jr.

The need for counterbalancing scientific progress with cultural progress was recognized by President Kennedy when he called upon Frost to take a prominent role in the inauguration ceremonies by reading to the distinguished gathering his celebrated poem, "The Gift Outright."

On June 19, the Vermont House of Representatives passed a resolution naming Robert Frost as poet laureate of that State.

We can't act for the Nation, but we can lead the way—

Said Representative Janice Waterbury, who introduced the legislation.

Freedom falls short of its great potential when it fails to encourage and recognize excellence in every field.

Through the creative arts, we speak to the hearts and minds of all people.

For this purpose, I believe we should pass this resolution naming Robert Frost as the "national poet of the United States." And thereby show to the world that we respect and honor those achievements that are an inspiration to humanity.

INTERNAL SECURITY

(Mr. SCHERER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SCHERER. Mr. Speaker, there have been a series of happenings in the past 5 months which have caused those of us who are dealing daily with matters which affect the internal security of this Nation grave concern.

A general with an outstanding record of service to his country, who recognizes that internal subversion is more dangerous to the security of this Nation than nuclear weapons, is reprimanded when he speaks out against people in high places who do not recognize the danger.

The President appoints Dr. James R. Killian to investigate and supervise our Central Intelligence Agency, which is alleged to have fumbled the ball on a number of occasions, the last time in Cuba. I do not have time today, Mr. Speaker, to discuss Dr. Killian's background and pronouncements, but let me assure you that they should demonstrate to the least informed that he is one of the last men who should be put in this key position.

Last week, to curry favors with and pay a political debt to a nationality group, the President appointed Salvatore Anthony Bontempo to head the State Department's Bureau of Security and Consular Affairs—and the Lord knows the State Department needs the best that is available for such a position. But Bontempo has no background or experience whatsoever in security problems. The New York Times, in reporting his appointment, said:

As commissioner of conservation for the State of New Jersey, Bontempo put some 80,000 miles on the speedometer of his State car in pursuit of proper utilization of the State's natural resources. He has led the drive to reclaim and develop the Jersey meadowlands. He has initiated plans for a wholesale food market and spearheaded a drive for regional planning.

These might be excellent qualifications for director of national parks and playgrounds, but, when we are engaged in a cold war in which our security is

the focal point of attack, such an appointment is a farce.

Mr. Speaker, some of us were shocked when the National Science Foundation, created by the Congress in the interests of national defense, awarded a fellowship of taxpayer's money at the University of Illinois to a man who has been convicted in the Federal courts for refusal to answer questions concerning his activities as a colonizer for the Communist Party in defense industry.

I do not know how many more of these mistakes the country can stand. But here is another that has just happened which should give the American people the creeps.

The Organization of American States, 60 percent of the cost of which is borne by the United States, is supposed to be one of the great bulwarks against Communist penetration of the Western Hemisphere.

Early this month Dr. J. Robert Oppenheimer was selected to inaugurate a professorship program under which American professors will lecture in Latin America and Latin American professors will come here for the same purpose. Some will be given chairs for periods of from 3 months to 1 year. Dr. Oppenheimer went to Mexico the first week in June for about 10 days and will leave shortly for Brazil, Argentina, Chile, and Uruguay, spending a week or so lecturing in each country.

Now Dr. Oppenheimer is the same man whose security clearance, after extensive hearings and reviews, was suspended on December 23, 1953. On June 29, 1954, members of the Atomic Energy Commission voted to deny him access to restricted material. The AEC's Personnel Security Board, chairmaned by the Honorable Gordon Gray, established that a number of Communist Party officials between 1942 and 1945 had made statements to the effect that J. Robert Oppenheimer was a member of the Communist Party but that because of his position he could not be active in the party and that his name should be removed from the Communist Party's mailing list.

The Board also established that Oppenheimer had made periodic contributions to the Communist Party of between $500 and $1,000 each year for 4 years, ending in April 1942. The Board found that Oppenheimer's wife had been a Communist and was formerly married to a Communist; that his brother, Frank Oppenheimer, had been a Communist official; that his brother's wife had been a member of the Communist Party; that he had an intimate association from 1936 to 1943 with Dr. Jean Tatlock, a member of the Communist Party, which Oppenheimer himself admitted.

Oppenheimer himself, under oath, during the hearings admitted that he had lied to security officers. He admitted lying to Gen. Leslie R. Groves who had headed the Manhattan project.

The Security Board, in its final conclusion, among other things, said:

> We have regretfully concluded that Dr. Oppenheimer has been less than candid in several instances in his testimony before this Board.

Perhaps the most significant finding was stated in these terms:

> We have found a susceptibility to influence which could have serious implications for the security interests of the country.

Mr. Speaker, the taxpayers of the United States are paying 60 percent of the cost of this program which is being inaugurated by Dr. J. Robert Oppenheimer. There are thousands of highly competent, dedicated professors of unquestioned loyalty in the universities of this country who would welcome the opportunity to serve in this capacity. I would like to know and I think most Americans would like to know why it is that Dr. Oppenheimer was selected to do this job in these perilous times.

DECEIT, THE PRESS, AND THE COMMUNIST CONSPIRACY

(Mr. WALTER asked and was given permission to extend his remarks at this point in the RECORD).

Mr. WALTER. Mr. Speaker, there was a time when readers of the New York Times could believe—at least when they read its advertisements—that they were not being hoodwinked and sold a bill of goods. The Times had a reputation for screening the copy submitted by its advertisers and refusing to print anything that was obviously and clearly fraudulent and deceitful.

Those days are gone, however, if one is to judge by recent New York Times advertising policy. I will cite the latest—and the most flagrant—case bearing on this statement.

Last Thursday, June 22, the Times published a large ad paid for by the national committee of the so-called Communist Party. This ad dealt with the recent Supreme Court decisions on the Smith and Internal Security Acts. The text of the ad revealed without question that, as in the past, the Communist conspiracy is relying upon lies and deceit as its major weapon in its attempts to accomplish its treasonous purpose. From beginning to end, the ad was a tissue of false and fraudulent statements which, with the help of the New York Times, have reached hundreds of thousands of people.

What I have said of the Times has also been allegedly true of the Washington Post, which published this same ad this morning and thus helped the Communist Party reach additional hundreds of thousands of people with its lies.

The ad has also been published in the pages of the Worker, official Communist organ, and the National Guardian, the Communist weekly. Actually, it did no harm in these publications because their readers are Communists and fellow travelers who already subscribe to the falsehoods it contains.

The ad was in the form of an open letter to the American people and bore the salutation "Fellow Americans." This, in itself, was insulting and contemptuous. The word "Americans" designates persons devoted to this country, its Constitution, principles, and ideals. The Communists are devoted to the Soviet Union, the world Communist dictatorship, and all its vicious objectives which stand in such sharp contrast to American principles.

Today, there is no question about this point—the truth that the so-called Communist Party is Moscow controlled and its members are, therefore, not Americans, but foreign agents. It has been the finding of the Congress for over 10 years; it has been the finding for many years of numerous scholars of both liberal and conservative outlook; it has been the finding of Presidents of this country; and, as the Attorney General pointed out in his statement on the Supreme Court decision in the Internal Security Act case, the question of Moscow's direction, domination, and control of the CPUSA is no longer a matter of charges and accusations, but a matter of judicial finding. I might add that this is a judicial finding by the highest Court in the land.

Here are a few of the fraudulent statements which the New York Times, and the Washington Post have helped a Kremlin-dominated conspiracy spread in this country:

First. The so-called Communist Party is a legal political party.

The truth is that the Congress of the United States, in passing the Communist Control Act of 1954, stated that the Communist Party is not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States, and also stated that whatever rights, privileges, and immunities had previously been granted this conspiracy under the laws of this country are hereby terminated. Clearly, it is not a legal political party.

Second. The U.S. Government now possesses the right to license voluntary associations.

The truth is that, under the Internal Security Act, the U.S. Government now merely has the right to demand certain minimum information of foreign-directed conspiracies operating within its borders with the aim of destroying it by violent overthrow.

Third. The Subversive Activities Control Board has the right to decide which American citizens may or may not voluntarily associate themselves in any organization.

The truth is that neither the SACB nor any other Government agency has any such right. The SACB merely has the right, under strictly prescribed procedures and on the basis of clearly established, realistic criteria, to hold hearings to determine whether or not the Soviet Union or its U.S. fifth column controls an organization in this country.

Fourth. Persons who associate themselves together in any organization without the blessing of the Subversive Activities Control Board can be found guilty without the right to a trial.

The truth is that any organization subject to proceedings by the Board, as a result of evidence collected by the Department of Justice, has the right to counsel, to produce witnesses in its behalf, to cross-examine Government wit-

world policies. The one certainty is that this weakness will be endlessly compounded until our world, mortally menacted, learns to combine rather than to splinter its strength.

In political and diplomatic problems common to the nations of the free world, it is compelling upon us—and no less upon every one of our allies—to steer courses arrived at on the basis of continuous consulation. Merely to inform one another after the fact, or even to notify allies before the fact that we shall act unilaterally, is a caricature of the principle of unity. It can only lead to the confused, disoriented and ineffective policies that too often characterize the free world nations individually and collectively.

Think of the irony of the situation. The American people have willingly taxed themselves year after year to help needy countries everywhere. In 11 years, they have given away more than $75 billion, $52.5 billion in economic aid and $22.5 billion in direct military assistance—a generosity unmatched in the history of man. Yet, because of our immature and inept conduct of foreign affairs, this astronomical generosity has not sufficed to unify the free world. It has not offset resentments of allies who have felt themselves ignored and underrated in foreign policy decisions impinging on their vital interests.

America's might is repeatedly channeled into improvised foreign policy without benefit of consultation with allies who are as rich in diplomatic and political experience as is the United States in material power. It is this prime blunder that has brought the free world to its present state of disunity, divided counsel and confusion—a condition skillfully exploited by the common enemy.

In NATO, the Atlantic powers have in the main succeeded in creating a limited form of unity resting on consultation and cooperation. But these concepts, while honored in the military sphere, continue to be ignored when it comes to policy decisions.

The record of the past couple of years is sufficiently dismal. For example, unilateral action by Britain and France in the fall of 1956 in Egypt, born of desperation in face of Nasser's endless threats and harassments; followed by America's blind counteraction in consort with Soviet Russia; capped by a unilateral Eisenhower doctrine. Military intervention in Lebanon and Jordan this summer, with an ally no less deeply concerned, namely France, cold-shouldered in the process. And now the Formosa challenge, amidst a Babel of free-world disagreements.

Such are the bitter fruits of disunity which the Kremlin jubilantly describes as the "contradictions" in our camp.

The Communist world, by contrast, speaks with one voice and acts as a unit. True, its unity is imposed by brute force. We know that under the policed surface there are tensions between component nations, especially between Red Russia and Red China, and smoldering popular hatreds of their police-states within each of the nations. If we had worked in true unity over the years, we could have taken advantage of these conditions to keep the Soviet empire off balance, strengthening our world by weakening theirs.

Yet that totalitarian unity enforced by terror, is effective in Red foreign policy. We have no alternative but to confront it with a unity of our own, resting on free men's consent; otherwise we may well lose the historic struggle between the two worlds by default. The free world must promptly mobilize its aggregate strength. It must create disciplined agencies for consultation, not for moments of crisis and panic but on a continuing basis, in much the same way as NATO operates on military matters. It must pool its moral, diplomatic, industrial and technical resources no less than its military potentials. The demonstrated ability to work in close unity, as in NATO, can and must be carried over to non-military tasks, especially in the formulation of common, considered foreign policy.

Let's not dissipate our strength by fragmentation, lest freedom go the way of the dinosaurs.

RESOLUTION ON GERMANY

(Mr. BECKER (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

Mr. BECKER. Mr. Speaker, I have today, introduced a "no backdown" resolution that would place the House on record as stating that the United States should not accept a unilateral abrogation by Russian of agreements regarding access to Berlin as affecting in any way the rights and responsibilities of the West. This resolution is identical in form to the one introduced in the Senate by the senior Senator from New York, Mr. JAVITS. It contains the following five basic points:

First. We should not accept a forced solution or be under pressure because of Chairman Khrushchev's deadlines or threats or even the actuality of the U.S.S.R. making a separate peace treaty with the East German Communist regime.

Second. We should await the outcome of the elections in the German Federal Republic in September to permit the German people themselves to give a new mandate as to their wishes on Berlin.

Third. We should recognize that the East German Communist regime is not the expression of the freely declared will of the people of East Germany.

Fourth. Negotiations on Berlin should be based upon the reunification of Germany by free elections; the security of Europe, both East and West, including a reunified Germany; and the joint responsibility of the governments of the United States, the United Kingdom, France, and the U.S.S.R. for this result.

Fifth. The United States should under no circumstances accept the unilateral abrogation of its rights and the rights of its allies for continued and assured access to Berlin and for the unification of Germany in accordance with the fourpower agreements made at the end of World War II.

I would urge that all Members study this resolution and also read the speech made by Senator JAVITS in the Senate on last Thursday, June 22, 1961, and found on pages 10252 and 10259 of the CONGRESSIONAL RECORD for that day. It is one of the finest analysis of the Berlin situation and German reunification.

I firmly believe that the House should act upon this resolution. The free world must be assured that we will stand by our commitments. There is nothing else we can do. We cannot equivocate, procrastinate, or appease. Instead of considering Khrushchev's demand, we should demand of Russia, free elections not only on the reunification of Germany, but free elections in all the countries now held under Communist slavery, from Poland to Bulgaria. We should demand constantly of Khrushchev to stop talking hypocritically about peace, but act in the cause of freedom which will bring about a peace all over the world.

GALLUP POLL ON KENNEDY HEALTH BILL; AN EXERCISE IN DECEPTION

(Mr. CURTIS of Missouri (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

Mr. CURTIS of Missouri. Mr. Speaker, on June 8, 1961, Dr. George Gallup, director, American Institute of Public Opinion, issued a press release and the purported findings of a carefully selected sample of 1,536 adults by Gallup poll interviewers who were asked this one question:

> Would you favor or oppose having the social security tax increased in order to pay for old age medical insurance?

There was no statement of what the benefits might be or the amount of the tax increase, or whether it was to be compulsory or voluntary, or what part of the aged would be covered; just the bare question was asked.

Dr. Gallup's press release as printed in the New York Herald Tribune goes far afield and far beyond this simple and almost meaningless question. It starts with this lead sentence:

> With battle lines drawn in the fight over President Kennedy's medical care for the aged bill a majority of the public now stand with the administration forces.

The question asked the selected sample has little or nothing to do with President Kennedy's health care for the aged bill.

The administration bill on health care for the aged is neither a medical care bill nor is it a bill to provide insurance. It covers only a portion of the aged. For a portion of health institutional costs. The major arguments against the administration bill are completely ignored in the question asked by the Gallup pollsters.

The Anderson-King bills, containing the administration proposal, only provide for services in hospitals, in nursing homes, in diagnostic clinics, and for visiting nurses. Medical care in its proper sense relates to doctor's care.

The President, in transmitting his request for legislation in this field on February 9, 1961, stated:

> No service performed by any physician at either home or office, and no fee he charges for such services would be involved, covered, or affected in any way.

Presumably our aged would enter the hospitals without medical examination.

The only medical services covered, if any, would be those of an emergency nature by interns and hospital staff doctors. The chronic ailments of the aged, and day-to-day treatment of them, as well as home confining illnesses requiring doctor's care, would not be covered.

Furthermore, the administration bill does not propose an insurance program in any correct use of the word insurance. The people that it would immediately cover will never pay a cent of tax or premium for the limited hospital or nursing home benefits they might receive. It is a dole program for them and the only way this dole is kept from being relief is by including the wealthy older people, all old people who are on social security, whether they can afford

to pay or not. The old people not on social security, one and a half million of them, who as a group need help the most are excluded. It is not an insurance program even for those coming under the program in the future. There is no contract enforcible in law. Those in social security will have to pay taxes immediately, but they will get no health cost protection until they reach age 65. What kind of health insurance is this? Already on the market real medical, not just hospital insurance, is available to any person for his old age. However, when you buy it, you not only get the coverage in your old age prepaid, but you get coverage immediately for the years you are paying before you reach 65.

Dr. George Gallup is too knowledgeable a man in the field of public opinion polling not to know the complete chicanery of the press release his organization has issued and the conclusions it draws from the question his interviewers asked the selected sample of 1,536. The deception that is being foisted on the public by this kind of propaganda and in other ways by the Kennedy administration about its limited health program for a limited number of the aged, including the wealthy aged, has its counterpart only in dictatorships. It has no place in representative government.

The real answer of the promoters of the Anderson-King bill to the criticism that it is limited in scope to hospital costs, in dollar amounts, in coverage of the aged, is that this bill is just a beginning. What the promoters ultimately envisage is their original bill—the Wagner-Dingell bill—compulsory medical care for all of us. Why does not the Kennedy administration advance this forceful reply to its critics, instead of deceiving the people about the pittance their bill would give them? The answer is they are on the sharp horns of a dilemma. If they answer honestly, they demonstrate that their real program is socialized medicine and that the King-Anderson bill is only a small start. They tell their adherents who are in the know, "Have patience, this is all we can get now. Let us get this and nothing can stop the growth to complete social coverage." They are indeed right. Plant this seed of cancer and it will grow rapidly, to cover the entire social body. It will be difficult or almost impossible to stop.

Let Dr. Gallup poll the people on this question: "Would you favor or oppose beginning a program of having the Social Security tax increased in order to pay for old-age hospital costs which its proponents say though limited in amounts of benefits and coverage now will shortly be increased to complete coverage for us all, but which its opponents say is the beginning of socialized medicine?"

The answer the people would give to this question would put an entirely different light on whether "the majority of the public now stand with the administration forces" or not.

Let the people have the truth as both sides see it and then get their answer. Will the Kennedy administration accept this challenge or continue to propagandize the people and corrupt public opinion polls to further their Machiavellian ends?

AUTOMATIC RETIREMENT OF THE PUBLIC DEBT

(Mr. HARVEY of Indiana (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

Mr. HARVEY of Indiana. Mr. Speaker, I cast my vote against H.R. 7677 as a protest against the continual climb of our debt. It is time that we started voting to lower our national debt rather than voting to raise it every year. I feel that we must take action soon to provide for automatic retirement of the Federal public debt by reducing it a certain amount each year. I feel that this is the only proper step which we as a nation can properly take in order to lessen the mortgage which we have on our children, grandchildren, and the generations to follow.

I have had volumes of mail from constituents who are demanding that something be done to lessen the national debt. I feel that the United States is drifting deeper into serious financial trouble each time the debt limit is raised, which provides for further deficit spending. It is time that all the people in this country realize that fiscal sanity must begin now; we may soon reach the point of no return, if we have not already done so.

By my vote against raising the debt limit today, I feel that I am representing the feelings of an overwhelming majority of my constituents.

(Mr. COLLIER (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

[Mr. COLLIER'S remarks will appear hereafter in the Appendix.]

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[Mr. COLLIER'S remarks will appear hereafter in the Appendix.]

SPECIAL SCHOOL MILK PROGRAM

(Mr. STAFFORD (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

Mr. STAFFORD. Mr. Speaker, I am gratified and the people of my State will be happy to learn that the House passed the special school milk program this afternoon.

Vermont is proud of the fact that the exceptionally fine milk produced by its dairy herds has been utilized in this program since its inception. Good table milk helps keep our schoolchildren healthy and alert, ready to meet the stresses, strains, and demands of this exacting age. Vermont, the Nation's most intensive dairy State, hails the extension of this program.

ADDITIONAL VIEWS ON HOUSE RESOLUTION 328 TO DISAPPROVE REORGANIZATION PLAN NO. 5 OF 1961 (NATIONAL LABOR RELATIONS BOARD)

(Mr. GRIFFIN (at the request of Mr. DERWINSKI) was given permission to extend his remarks at this point in the RECORD.)

Mr. GRIFFIN. Mr. Speaker, for the information of the membership, I am inserting in the RECORD at this point, the additional views concurred in by nine of the Republican members of the Committee on Government Operations which were filed today as part of the report to accompany House Resolution 328 to disapprove Reorganization Plan No. 5:

INTRODUCTION

Reorganization Plan No. 5 of 1961 is the fifth in a succession of reorganization plans which are fundamentally identical and designed to effect a further concentration of executive power. With minor technical exceptions the reasons for disapproving one of them apply with equal validity to all.

Minority views with respect to plan No. 1 (Securities and Exchange Commission), plan No. 2 (Federal Communications Commission), plan No. 3 (Civil Aeronautics Board), and plan No. 4 (Federal Trade Commission) are set forth respectively in House Report No. 509 accompanying House Resolution 302, House Report No. 446 accompany House Resolution 303, House Report No. 510 accompanying House Resolution 304 and House Report No. 511 accompanying House Resolution 305. Of these four plans, two have been disapproved by the Congress.

THE ROLE OF THE NATIONAL LABOR RELATIONS BOARD

Plan No. 5, like the rest, was submitted with the intention, as stated by President Kennedy, of relieving "the Board members from the necessity of dealing with many matters of lesser importance and thus conserve their time for the consideration of major matters of policy and planning."[1]

This ignores the fact that in neither the Wagner Act nor the Taft-Hartley law, nor the Landrum-Griffin Act, did Congress, with respect to the trial of unfair labor practice cases, delegate any authority in policy matters to the Board. This fact sets the National Labor Relations Board apart from other administrative agencies which have been the subject of Reorganization Plans 1 through 4 of 1961 previously considered by this committee.

Congress in its wisdom granted broad policymaking authority to the Securities and Exchange Commission, the Federal Communications Commission, the Civil Aeronautics Board and the Federal Trade Commission. This is not the case with the National Labor Relations Board with respect to unfair labor practice cases. The Wagner Act, the Taft-Hartley law, and the Landrum-Griffin Act spell out in definite terms what constitute unfair labor practices.

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[1] Message from the President of the United States transmitting Reorganization Plan No. 5 of 1961 (H. Doc. 172, 87th Cong., 1st sess.).

87TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 577

EXTENSION OF SPECIAL MILK PROGRAM

JUNE 26, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany S. 146]

The Committee on Agriculture, to whom was referred the bill (S. 146) to extend and increase the special milk program for children, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to extend for 1 fiscal year, from July 1, 1961, to June 30, 1962, the special milk program for children. The bill authorizes the expenditure of $105 million of the funds of the Commodity Credit Corporation for this purpose. Since its enactment in 1954, this program has proven to be a very successful and worthwhile one, both to consumers and to farmers, and the committee unanimously recommends its extension.

Hearings were held by the Dairy and Poultry Subcommittee on April 11 and 12, 1961 on the extenson of this program. At that time the following bills were considered:

H.R. 4438, Mr. Johnson of Wisconsin
H.R. 3565, Mrs. Pfost
H.R. 4139, Mr. McFall
H.R. 4517, Mr. Kastenmeier
H.R. 4536, Mr. Stratton
H.R. 4577, Mr. Cohelan
H.R. 4889, Mr. Breeding
H.R. 4915, Mr. Clem Miller
H.R. 6191, Mr. Hagan of Georgia
H.R. 2058, Mr. Quie
H.R. 2059, Mr. Nelsen
H.R. 2060, Mr. Langen
H.R. 2061, Mr. Laird
H.R. 2062, Mr. Kyl
H.R. 2740, Mr. Thomson of Wisconsin
H.R. 2880, Mr. Byrnes of Wisconsin
H.R. 3353, Mr. Van Pelt

The Department of Agriculture witnesses appeared at the hearings in support of the extension of this program and subsequently the administration recommended a permanent extension of the program in the general farm bill (H.R. 6400) now pending before the committee.

The Senate report, which is appended hereto and made a part of this report further explains the need for this legislation.

[S. Rept. 437, 87th Cong., 1st sess.]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 146), to extend and increase the special milk program for children, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill extends the special milk program for children 1 year until June 30, 1962; and authorizes the expenditure of $105 million of Commodity Credit Corporation funds to carry out the program for that year. No report has been received from the Department of Agriculture on this bill, since its provisions are included in S. 1643, the administration farm bill, and it, therefore, clearly has the Department's approval.

In his message of March 16, the President recommended extension and improvement of the program as follows:

"To improve further our system of distribution I recommend—

* * * * *

"2. Extension and improvement of the special school milk program. Existing authorization for this program expires June 30. No lapse should be permitted."

Since the present authority expires June 30, passage of the bill is urgent if a lapse is to be prevented.

The program has been in effect since 1954. Under the program the Department reimburses schools participating in the school lunch program at the rate of 4 cents per half pint in excess of the half pint provided in the lunch; reimburses other schools at the rate of 3 cents per half pint; and reimburses other child care institutions 2 cents per half pint. In the fiscal year just ending it is estimated that about 85,500 schools and other institutions are participating in the program, and reimbursements will total $85,200,000 covering 2.5 billion half pints.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Act of July 1, 1958

AN ACT To continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the fiscal year beginning July 1, 1959, not to exceed $85,000,000, and for the fiscal year beginning July 1, 1960, not to exceed $95,000,000, *and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,* of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children (1) in nonprofit schools of high-school grade and under; and (2) in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. There is authorized to be appropriated for the purposes of this Act for the fiscal year beginning July 1, 1960, separate from any other appropriation of funds for Commodity Credit Corporation, such amount as may be deemed to be necessary to reimburse Commodity Credit Corporation for amounts advanced by it under this Act. Amounts expended hereunder and under the authority contained in the last sentence of section 201(c) of the Agricultural Act of 1949, as amended, shall not be considered as amounts expended for the purpose of carrying out the price-support program.

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Union Calendar No. 220

87TH CONGRESS
1ST SESSION

S. 146

[Report No. 577]

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1961
Referred to the Committee on Agriculture

JUNE 26, 1961
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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AN ACT

To extend and increase the special milk program for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1466 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,".

Passed the Senate June 21, 1961.

Attest: FELTON M. JOHNSTON,
Secretary.

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Union Calendar No. 220

87TH CONGRESS
1ST SESSION

S. 146

[Report No. 577]

AN ACT

To extend and increase the special milk program for children.

JUNE 22, 1961

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Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Public Law 87-67
87th Congress, S. 146
June 30, 1961

An Act

To extend and increase the special milk program for children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed $105,000,000,". Milk program. 75 STAT. 147. 75 STAT. 148. 72 Stat. 276; 74 Stat. 84.

Approved June 30, 1961.

GPO 72139